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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,759	04/03/2006	Eliyahu Marmor	018/05154	2224
44909 PRTSI P.O. Box 16446 Arlington, VA 22215	7590 06/09/2011		EXAMINER DALENCOURT, YVES	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/574,759

## Applicant(s)

MARMOR, ELIYAHU

## Examiner

YVES DALENCOURT

## Art Unit

2457

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-32, 35-42, 48-50 and 52-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-32, 35-42, 48-50 and 52-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 1/26/2011; 5/8/2011
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This office action is responsive to Request for Continued Examination (RCE) filed on 01/19/2011.

#### ***Response to Amendment***

The Examiner has acknowledged the amended claims 1, 8, 10 – 13, 19 – 20, 22 – 23, 29, 31 - 32, 35, 40, 55, the cancellation of claims 7, 51, and the submission of claims 56 – 58.

#### ***Response to Arguments***

Applicant's arguments filed 01/19/2011 have been fully considered but they are not persuasive.

Regarding Applicant's argument (page 12) that Wies did not disclose "automatically generating at least one customization definition based on said changes... as recites in claim 1. The Examiner respectfully disagrees with Applicant's assertion because Wies discloses *that FIG. 17a is a screenshot of an HTML editor 429 that has been modified according to the present invention to include the ability to design and add forces to web pages*. Wies further discloses an HTML editor which visually shows what the page will look like rather than display the underlying source text used to construct the page is much easier to use and understand. The same can be said for adding feel sensations (see col. 30, line 57 through col. 31, line 23)

Regarding Applicant's argument (page 12) that Wies did not disclose that "customizations are carried out by the end users to suit their preferences. Applicant did not find in these paragraphs express or inherent teaching of modifying data according to automatically generated customization definitions, as recited in step (d) of previously presented claim 1. The Examiner respectfully disagrees with Applicant's argument because Wies discloses that Customization ability already exists in most browsers for characteristics like the color of hyperlinks- the web browser automatically assigns the hyperlink a color based on the user preference. However, web authors can override those default colors to make the hyperlinks match a web page's color scheme (see col. Wies further discloses that the tag in the web page code can refer to an official or customized generic effect set that the user is presumed to have previously installed on the client machine (and, if that customized effect set is not installed on the client, a default generic effect set can be used). The author can simply specify that there is a force enclosure on an object, but allow client defaults or preferences to assign forces and/or force characteristics to the enclosure (e.g. to the walls and/or interior of the enclosure)(col. 18, lines 35 – 45).

In response to Applicant's argument (page 14) that in the present application the modifications are applied to visual content based on customization definitions. Wies, on the other hand, only teaches adding tactile sensations to webpages and does not teach modifying data to effect its visual presentation (see, e.g., Col. 3 lines 42-45, Col. 17 line 20 to Col. 18 line 45). Wies does not even mention modifying, by an intermediary

apparatus, data for presentation according to detected changes made by editing on a local client, as recited in amended claim 1.

The Examiner respectfully disagrees with Applicant's argument because Wies discloses that an HTML editor which visually shows what the page will look like rather than display the underlying source text used to construct the page is much easier to use and understand. The same can be said for adding feel sensations. Wies further discloses that an applet is a program written in Java that can execute in a web page while the web browser is the active application of the operating system on the client, as is well known to those skilled in the art. A web page developer can create applets that make use of force feedback functionality, e.g. using the FEELit API from Immersion Corporation. These applets can be similar to any program that can normally be created with such force feedback functionality, but can execute "inside" a web page. An applet typically has a defined area on the web page in which it executes to display visual information or perform other tasks (col. 23, line 59 through col. 24, line 3).

In response to applicant's argument (pages 5 – 7) that there is no teaching, suggestion, or motivation to combine the references, the examiner recognizes that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir.

1992), and *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007).

Thus, the combination of Wies and Larcheveque for claims 25 – 30 and 41 – 42 does read on the claimed language.

Applicant argues that Wies does not expressly or inherently disclose “**automatically generating** customization definitions” the Examiner wants to point out that Wies shows that such customization is being done automatically by the client based on parameters entered by the user and being executed by a Java Applet program. Applicant has not shown that customization is done automatically without user intervention. Some parameters or user’s preferences have to be inputted for the customization to be taken place.

In view of such, the rejection is maintained as follow:

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 6, 8 - 24, 31, 35 – 40, and 48 – 50 and 52 - 58 are rejected under 35 U.S.C. 102(b) as being anticipated by Wies et al (US 6,161,126; hereinafter Wies).

Regarding claim 1, Wies discloses a method of defining customization for electronic visual content retrieved over an electronic connection, comprising:

retrieving electronic visual content from a remote server to a local client, through an intermediary apparatus (col. 2, lines 9 – 34; col. 3, lines 24 - 34);

locally editing the electronic visual content at the local client by a user using a WYSIWYG editor, wherein said editor is a standard software used for displaying of content and wherein said editing does not require installation of software requiring user authorization and does not change content stored in said remote server (figs. 17a – 17b; col. 30, line 52 through col. 31, line 41; col. 42, lines 44 - 59; *Wies discloses that the end-users can customize the fell of files, folders, icons, etc. without changing the content stored at the remote server*);

detecting changes in said electronic visual content caused by said editing after said editing is preformed (fig. 17a; col. 27, lines 3 – 20; col. 30, line 57 through col. 31, line 23; col. 36, lines 1 – 53; *Wies discloses that FIG. 17a is a screenshot of an HTML editor 429 that has been modified according to the present invention to include the ability to design and add forces to web pages*. Weis further discloses an HTML editor which visually shows what the page will look like rather than display the underlying source text used to construct the page is much easier to use and understand. The same can be said for adding feel sensations)

automatically generating at least one customization definition based on said changes, said customization definition suitable for automatic applying to said electronic visual content (col. 3, lines 35 – 64; col. 35, lines 1 – 26; col. 42, lines 1 – 36; Wies

discloses that Customization ability already exists in most browsers for characteristics like the color of hyperlinks- the web browser automatically assigns the hyperlink a color based on the user preference. However, web authors can override those default colors to make the hyperlinks match a web page's color scheme); and

modifying by said intermediary apparatus data provided at a later time according to the at least one customization definition for a visual presentation thereof at a plurality of local clients to a plurality of end users (col. 31, lines 24 – 42 and col. 42, lines 44 - 59); wherein the intermediary apparatus supports the editing of said electronic visual content at the local client (col. 19, line 50 through col. 20, line 39; col. 41, line 57 through col. 42, line 20).

Regarding claim 2, Wies discloses the method according to claim 1, wherein said retrieving comprises retrieving a tagged data file (col. 18, lines 25 – 45; col. 18, line 66 through col. 19, line 10).

Regarding claim 3, Wies discloses the method according to claim 2, wherein said intermediary apparatus is an HTTP intermediary apparatus (col. 27, lines 28 – 53; col. 28, lines 20 - 43).

Regarding claim 4, Wies discloses the method according to claim 3, wherein said tagged data file is in a self-describing language (col. 27, lines 28 – 53; col. 28, lines 20 - 43).

Regarding claim 5, Wies discloses the method according to claim 4, wherein said language is a hyper-text mark-up language (col. 27, line 54 through col. 28, line 43).



Regarding claim 6, Wies discloses the method according to claim 3, wherein said editor comprises an internet browser (col. 2, lines 35 – 48; col. 11, lines 8 – 31; col. 19, line 50 through col. 20, line 21).

Regarding claim 8, Wies discloses the method according to claim 1, wherein detecting changes comprises detecting changes using a hierarchical comparison of the said electronic visual content before and after the editing (col. 20, lines 22 - 39).

Regarding claim 9, Wies discloses the method according to claim 3, wherein said intermediary apparatus comprises a proxy (col. 27, lines 28 - 38).

Regarding claim 10, Wies discloses the method according to claim 3, wherein the intermediary apparatus modifies the retrieved electronic visual content to allow at least one of said editing of the electronic visual content at the local client or the automatically generating of the at least one customization definition (col. 3, lines 35 – 64; col. 35, lines 1 - 26).

Regarding claim 11, Wies discloses the method according to claim 10, wherein said modifying of the retrieved electronic visual content comprises marking at least some of said electronic visual content as editable (col. 4, lines 23 - 49).

Regarding claim 12, Wies discloses the method according to claim 10, wherein said modifying of the retrieved electronic visual content comprises adding at least one control to said content (col. 19, lines 20 - 37).

Regarding claim 13, Wies discloses the method according to claim 10, wherein said modifying of the retrieved electronic visual content comprises adding at least one client side code module to said electronic visual content (col. 4, lines 23 - 49).

Regarding claim 14, Wies discloses the method according to claim 3, wherein automatically generating the at least one customization definition based on said editing comprises defining a spatial area to be customized (col. 39, lines 12 - 28).

Regarding claim 15, Wies discloses the method according to claim 3, comprising overriding at least one automatically generated customization definition by said user (col. 16, lines 27 - 45).

Regarding claim 16, Wies discloses the method according to claim 3, wherein said editing comprises editing without typing human understandable words (col. 30, line 52 through col. 31, line 41).

Regarding claim 17, Wies discloses the method according to claim 3, wherein said editing comprises editing by selection among choices (col. 30, line 52 through col. 31, line 41).

Regarding claim 18, Wies discloses the method according to claim 3, comprising manually defining at least one parameter of a customization definition (col. 3, lines 23 - 49).

Regarding claim 19, Wies discloses the method according to claim 18, wherein said manually defining comprises defining different types of translation for different parts of said electronic visual content (col. 26, line 62 through col. 27, line 2).

Regarding claim 20, Wies discloses the method according to claim 15, wherein said electronic overriding comprises requiring an exact match of an element of said visual content to a definition, for a customization to be applied (col. 16, lines 27 - 63).

Regarding claim 21, Wies discloses the method according to claim 15, wherein said overriding comprises allowing a match other than a one-to-one match to a definition, for a customization to be applied (col. 16, lines 27 - 63).

Regarding claim 22, Wies discloses the method according to claim 3, wherein a customization definition is defined by a context in said electronic visual content (col. 30, line 52 through col. 31, line 41).

Regarding claim 23, Wies discloses the method according to claim 22, wherein said context is an expression defining elements in said electronic visual content to be part of the context (col. 30, line 52 through col. 31, line 41).

Regarding claim 24, Wies discloses the method of according to claim 23, wherein said expression is a hierarchical expression (col. 30, line 52 through col. 31, line 41).

Regarding claim 29, Wies discloses the method according to claim 22, wherein a context is defined based on a spatial location, during a display of the electronic visual content, of a label associated with an element to be customized (col. 38, line 3 through col. 39, line 28).

Regarding claim 30, Wies discloses the method according to claim 29, wherein an association of a label and an element is identified using a browser-internal script which finds spatial positions of the labels and spatial positions of nearby elements (col. 27, lines 3 - 38; col. 38, line 3 through col. 39, line 28).

Regarding claim 31, Wies discloses the method according to claim 3, wherein said intermediary apparatus authorizes said user to perform said editing (col. 38, line 3 through col. 39, line 28).

Regarding claim 32, Wies discloses the method according to claim 1, wherein the at least one customization definition is passed from said clients to said intermediary apparatus (col. 38, line 3 through col. 39, line 28).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 25 – 30 and 41 – 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wies et al (US 6,161,126; hereinafter Wies) in view of Larcheveque et al (US 20090138790; hereinafter Larcheveque).

Regarding claim 25, Wies discloses substantially all the limitations, but fails to specifically disclose that said expression is an XPath or XPath-like type expression.

However, Larcheveque discloses an analogous structural editing with schema awareness, which chows an XPath or XPath-like type expression (paragraph [0006]). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Wies by incorporating an XPath or XPath-like type expression as evidenced by Larcheveque for the purpose of addressing and filtering the elements and text of XML documents, thereby reducing the size of the semantic information required to transform the structure data into the rendered structure

document, which would in turn advantageously improve the performance of the rendering.

Regarding claim 26, Wies and Larcheveque disclose all the limitations in claim 26, and Larcheveque further discloses that said expression is generated automatically (paragraphs [0020], [0078], [0098], and [0102]). See motivation applied in claim 25.

Regarding claim 27, Wies and Larcheveque disclose all the limitations in claim 25, and Larcheveque further discloses that said expression is generated in response to an editing activity (paragraphs [0020], [0078], [0098], and [0102]). See motivation applied in claim 25.

Regarding claim 28, Wies and Larcheveque disclose all the limitations in claim 26, and Larcheveque further discloses that said expression is generated in response to a marking by a user (paragraph [0077]).

Claims 35 – 42, 48 – 50, and 52 – 55 incorporate substantially all the limitations of claims 1 – 6 and 8 - 32 with minor modification in the claimed language. The reasons for rejecting claims 1 – 6 and 8 - 32 apply to claims 35 – 42, 48 – 50, and 52 - 55. Therefore, claims 35 – 42, 48 – 50, and 52 – 55 are rejected for the same reasons.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ferguson et al (US 5,819,092) discloses an online service development tool with fee setting capabilities.

Ries et al (US 7,287,227) discloses a system and method for editing Web pages in a client/server architecture.

John Toebe (US 7,698,631) discloses a stateless online Web page editing system and method.

Matveyenko et al (US 2005/0229101) discloses a remote Web site editing in Web browser without external client software.

### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YVES DALENCOURT whose telephone number is (571)272-3998. The examiner can normally be reached on M-F 8-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/YVES DALENCOURT/  
Primary Examiner, Art Unit 2457